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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

RECD 19 OCT 2006

WIPO PCT

(PCT Article 36 and Rule 70)

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| Applicant's or agent's file reference P35916WO/ABA | FOR FURTHER ACTION See Form PCT/IPEA/416 | |
| International application No. PCT/GB2005/002341 | International filing date (day/month/year) 14.06.2005 | Priority date (day/month/year) 17.06.2004 |
| International Patent Classification (IPC) or national classification and IPC INV. G07C11/00 G06F17/60 | | |
| Applicant MONKWOOD TECHNOLOGIES LTD. | | |

1. This report is the International preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. (sent to the applicant and to the International Bureau) a total of 13 sheets, as follows:

- sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
- sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in Item 4 of Box No. I and the Supplemental Box.

b. (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)), containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

- Box No. I Basis of the report
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

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| Date of submission of the demand 06.04.2006 | Date of completion of this report 17.10.2006 |
| Name and mailing address of the International preliminary examining authority: European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016 | Authorized officer Teutloff, Ivo Telephone No. +31 70 340-4503 |



**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/GB2005/002341

Box No. I Basis of the report

1. With regard to the language, this report is based on
 - the international application in the language in which it was filed
 - a translation of the international application into , which is the language of a translation furnished for the purposes of:
 - international search (under Rules 12.3(a) and 23.1(b))
 - publication of the international application (under Rule 12.4(a))
 - international preliminary examination (under Rules 55.2(a) and/or 55.3(a))
2. With regard to the elements* of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

Description, Pages

1-61 as originally filed

Claims, Numbers

2-21, 24-39 received on 06.04.2006 with letter of 04.04.2006
1, 22, 23, 40 received on 07.08.2006 with letter of 03.08.2006

Drawings, Sheets

1/19-19/19 as originally filed

- a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. The amendments have resulted in the cancellation of:
 - the description, pages
 - the claims, Nos.
 - the drawings, sheets/figs
 - the sequence listing (*specify*):
 - any table(s) related to sequence listing (*specify*):
4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - the description, pages
 - the claims, Nos.
 - the drawings, sheets/figs
 - the sequence listing (*specify*):
 - any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/GB2005/002341

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N) Yes: Claims 1-40

No: Claims

Inventive step (IS) Yes: Claims

No: Claims 1-40

Industrial applicability (IA) Yes: Claims 1-40

No: Claims

2. Citations and explanations (Rule 70.7):

see separate sheet

**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(SEPARATE SHEET)**

International application No.

PCT/GB2005/002341

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following document:

D3: GB 2 307 324 A (LEONARD SIM) 21 May 1997 (1997-21-05)

- 1 The amendments filed with the letter dated 03 August 2006 fulfill the requirements of Article 34(2)(b) and do not introduce subject-matter which extends beyond the content of the application as filed. They are therefore permissible.
- 2 INDEPENDENT CLAIMS 1, 22, 23 AND 40
- 2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject matter of claims 1, 22, 23 and 40 does not involve an inventive step in the sense of Article 33(3)PCT.
 - 2.1.1 Document D3, which is considered to represent the most relevant state of the art to the subject matter of claims 1, 22, 23 and 40 discloses (the references in parentheses applying to this document):

A queue management system for managing at least one queue of people, the system comprising:

- portable modules to be carried by the visitors, including memory means containing an unique ID code for identification purposes (p. 2, l. 5-10) and additional tagging modules, to be carried by a person or a group of people to be tracked, containing unique identification codes and being associated with the portable modules (p. 10, l. 31 - p. 11, l. 12)
- registration means (p. 2, l. 20-26 and p. 6, l. 24 - p. 7, l. 14), which allows a user to *remotely register with the system*
- communication means (p. 2, l. 12-20)
- means for monitoring the queue and for informing the visitors when they should

**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(SEPARATE SHEET)**

International application No.

PCT/GB2005/002341

physically join the queue (p. 2, l. 26-32 and p. 7, l. 21 - page 8, l. 2), *wherein the means monitors the actual rate of queue movement, that is it monitors the queue in real time*

- detecting means to detect the portable modules in the vicinity of a location and to inform the queue manager of the presence of the visitor, allowing or denying access to a location (p. 2, l. 32 - p. 3, l. 21 and p. 8, l. 35 - p. 9 l. 18).

2.1.2 The subject matter of the independent claims does not seem to go beyond the subject matter disclosed with the prior art document D3. All technical features claimed with the independent claims can be found in D3 where they are used in a similar fashion. Consequently the application does not involve an inventive step in the sense of Article 33(3)PCT.

2.1.3. Although there are differences in the layout of the systems described in the present application and in D3, these differences are seen as belonging to the group of several straightforward possibilities from which the skilled person would select, in accordance with circumstances, without the exercise of inventive skill, in order to solve the problem posed.

Furthermore, the applicant's argument as regards the use of a mobile telephone cannot be taken into consideration because the use of such a telephone is not claimed in the independent claims discussed.

3 DEPENDENT CLAIMS 2-21, 24-39

3.1 Dependent claims 2-21 and 24-39 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT).